

REMARKS

In response to the Office Action dated December 15, 2006, Applicants respectfully request reconsideration based on the following remarks. Applicants respectfully submit that the claims as presented are in condition for allowance.

Claims 1, 3-5, 8, 10, 11, 13-16, 21-25, 28, 32-35 and 37 were rejected under 35 U.S.C. § 103 as being unpatentable over Frech in view of Henningson. Claims 6 and 35 were rejected under 35 U.S.C. § 103 as being unpatentable over Frech in view of Henningson and Devillier. Claim 7 was rejected under 35 U.S.C. § 103 as being unpatentable over Frech in view of Henningson and Griffiths. Claims 9, 17 and 27 were rejected under 35 U.S.C. § 103 as being unpatentable over Frech in view of Henningson and Madoch. Claim 12 was rejected under 35 U.S.C. § 103 as being unpatentable over Frech in view of Henningson and Malik. Claims 18-20 and 29-31 were rejected under 35 U.S.C. § 103 as being unpatentable over Frech in view of Henningson and Bossemeyer. Claim 23 was rejected under 35 U.S.C. § 103 as being unpatentable over Frech in view of Henningson and Dugan. Claims 26 and 38 were rejected under 35 U.S.C. § 103 as being unpatentable over Frech in view of Henningson and Cox. Claim 36 was rejected under 35 U.S.C. § 103 as being unpatentable over Frech in view of Henningson and Devillier and Griffiths.

Although Applicants traverse all the outstanding rejections, focus is directed to claim 12 which was rejected under 35 U.S.C. § 103 as being unpatentable over Frech in view of Henningson and Malik. This application was filed after November 29, 1999 entitling this application to the benefits of 35 U.S.C. § 103(c). Applicants assert that the subject matter of this application and Malik were, at the time of the invention of the subject matter of this application, owned by the same party or subject to an obligation of assignment to the same party, namely BellSouth Intellectual Property Corporation. Accordingly, under 35 U.S.C. § 103(c), Malik cannot be applied as prior art against this application. Accordingly, it is requested that claim 12 be allowed, or that a new non-final rejection be issued, as Applicants have made no amendments to necessitate a new ground of rejection.

In view of the foregoing remarks and amendments, Applicants submit that the above-identified application is now in condition for allowance. Early notification to this effect is respectfully requested.

If there are any charges with respect to this response or otherwise, please charge them to Deposit Account 06-1130.

Respectfully submitted,

By: 

David A. Fox
Registration No. 38,807
CANTOR COLBURN LLP
55 Griffin Road South
Bloomfield, CT 06002
Telephone (860) 286-2929
Facsimile (860) 286-0115
Customer No. 36192

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